

**PROOF**

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**STATE OF IOWA**

**House Journal**

**TUESDAY, FEBRUARY 3, 2004**

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An official corrected copy is available for reference in the office of the Chief Clerk.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Sixteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 3, 2004

The House met pursuant to adjournment at 8:45 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Kevin Gingerich, pastor of the Bloomfield United Methodist Church, Bloomfield. He was the guest of Representative Kurt Swaim from Davis County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, February 2, 2004 was approved.

### INTRODUCTION OF BILLS

[House File 2138](#), by committee on judiciary, a bill for an act relating to payment of legal expenses for indigent persons by the state public defender.

Read first time and placed on the **calendar**.

[House File 2139](#), by Horbach, a bill for an act relating to Iowa public employees' retirement system coverage for elected township officials and certain township employees.

Read first time and referred to committee on **state government**.

[House File 2140](#), by Jenkins, a bill for an act relating to meeting dates by which the state board of regents must make final decisions on tuition increases for institutions of higher education under its control.

Read first time and referred to committee on **education**.

[House File 2141](#), by Lukan, a bill for an act relating to the scheduled fines for littering or placing debris on a public highway and for littering in a state park.

Read first time and referred to committee on **natural resources**.

[House File 2142](#), by Alons, Freeman, De Boef, Chambers, Boal, Lukan, and Mertz, a bill for an act relating to the eligibility of children under the healthy and well kids in Iowa program, and providing effective dates.

Read first time and referred to committee on **human resources**.

[House File 2143](#), by Shoultz, a bill for an act relating to percentage of actual value at which residential property shall be assessed.

Read first time and referred to committee on **ways and means**.

[House File 2144](#), by Whitaker, Struyk, Miller, Wise, Hogg, Swaim, Wendt, Whitead, Kuhn, Davitt, Bukta, Foege, Berry, Mertz, and Jacoby, a bill for an act relating to reductions in the standing appropriations to reimburse local jurisdictions for certain property tax credits and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

[House File 2145](#), by committee on local government, a bill for an act relating to membership on certain city planning and zoning commissions.

Read first time and placed on the **calendar**.

[House File 2146](#), by committee on human resources, a bill for an act making changes to sex offender registry requirements for persons convicted of incest against a dependent adult.

Read first time and placed on the **calendar**.

[HOUSE FILE 477](#) REREFERRED

The Speaker announced that [House File 477](#), previously referred to committee on **state government** was rereferred to committee on **human resources**.

[HOUSE FILE 2118](#) REREFERRED

The Speaker announced that [House File 2118](#), previously referred to committee on **state government** was rereferred to committee on **judiciary**.

[HOUSE FILE 2132](#) REREFERRED

The Speaker announced that [House File 2132](#), previously referred to committee on **commerce, regulation and labor** was rereferred to committee on **transportation**.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF HUMAN RIGHTS

Iowa Commission On The Status of Women

Annual Report, pursuant to Chapter 216A.51, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House

- |          |   |
|----------|---|
| 2004\246 | Madeline Wagner, Dubuque – For winning 2 <sup>nd</sup> place in the Kindergarten division of the Martin Luther King Jr. Essay/Multi Media Contest.    |
| 2004\247 | Allison Robinson, Dubuque – For receiving 3 <sup>rd</sup> place in the Kindergarten division of the Martin Luther King Jr. Essay/Multi Media Contest. |

- 2004\248 Logan Meyer, Dubuque – For winning 1<sup>st</sup> place in the First Grade division of the Martin Luther King Jr. Essay/ Multi Media Contest.
- 2004\249 Jade Lynch, Dubuque – For receiving 2<sup>nd</sup> place in the First Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\250 Ryan Larsen, Dubuque – For receiving 3<sup>rd</sup> place in the First Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\251 Jake Berger, Dubuque – For receiving 2<sup>nd</sup> place in the Second Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\252 Parker Hammel, Dubuque – For receiving 3<sup>rd</sup> place in the Second Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\253 Logan Lynch, Dubuque – For winning 1<sup>st</sup> place in the Third Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\254 Morgan Dolan, Dubuque – For receiving 2<sup>nd</sup> place in the Third Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\255 Cole Crawford, Dubuque – For winning 1<sup>st</sup> place in the Fourth Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\256 Alex Wiezorek, Dubuque – For receiving 2<sup>nd</sup> place in the Fourth Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\257 Sarah Baer, Dubuque – For receiving 2<sup>nd</sup> place in the Fifth Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\258 Troy Laufenberg, Dubuque – For winning 1<sup>st</sup> place in the Sixth Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\259 Molly Glynn, Dubuque – For receiving 2<sup>nd</sup> place in the Sixth Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\260 Eric Ferring, Dubuque – For receiving 3<sup>rd</sup> place in the Sixth Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\261 Micheal Nieman, Dubuque – For receiving 3<sup>rd</sup> place in the Sixth Grade Division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\262 Natalie Benda, Dubuque – For winning 1<sup>st</sup> place in the Seventh Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.

- 2004\263 Lydia Feldman, Dubuque – For winning 1<sup>st</sup> place in the Seventh Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\264 Brian Gonner, Dubuque – For receiving 2<sup>nd</sup> place in the Seventh Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\265 Nathan Williams, Dubuque – For receiving 3<sup>rd</sup> place in the Eighth Grade division of the Martin Luther King Jr. Essay/Multi Media Contest.
- 2004\266 Jack Franklin, Ottumwa – For celebrating his 90<sup>th</sup> birthday.
- 2004\267 Kenneth McIntosh, Ottumwa – For celebrating his 90<sup>th</sup> birthday.
- 2004\268 Robert Leahy, Ottumwa – For celebrating this 90<sup>th</sup> birthday.
- 2004\269 Richard Gibson, Ottumwa – For celebrating his 90<sup>th</sup> birthday.
- 2004\270 Mary Adcock, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2004\271 Richard Graham, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2004\272 Faye Walton, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2004\273 Dorothy Criswell, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2004\274 Billy Amos, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2004\275 Donald Brooks, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2004\276 Kenneth Davis, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2004\277 Norma Joseph, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2004\278 Phyllis Cullinan, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2004\279 Cecil Simonton, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2004\280 Catherine Newquist, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2004\281 Harry Boughton, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2004\282 Marvel McCarroll, Agency – For celebrating her 80<sup>th</sup> birthday.
- 2004\283 M. Lucille Lee, Hedrick – For celebrating her 80<sup>th</sup> birthday.
- 2004\284 Grace Davis, Ottumwa – For celebrating her 90<sup>th</sup> birthday.
- 2004\285 Alice Hein, Guthrie Center – For celebrating her 85<sup>th</sup> birthday.

- 2004\286 Tena Peters, Kanawha – For celebrating her 100<sup>th</sup> birthday.
- 2004\287 Angela Marquard, Hampton – For winning the Area Education Agency 267 Spelling Bee.
- 2004\288 Chris Stern, Waterloo – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2004\289 Ed and Wanda Mulder, Spirit Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\290 Betty and Maurice Germain, Dubuque – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\291 Tom Duggan, Hempstead High School, Dubuque – For receiving “National Outstanding” ranking in the international High School mathematical Modeling Contest.
- 2004\292 Josh Lichti, Hempstead High School, Dubuque – For receiving “National Outstanding” ranking in the international High School Mathematical Modeling Contest.
- 2004\293 Cory McDermott, Hempstead High School, Dubuque – For receiving “National Outstanding” ranking in the international High School Mathematical Modeling Contest.
- 2004\294 Brad Willenbring, Hempstead High School, Dubuque – For receiving “National Outstanding” ranking in the international High School Mathematical Modeling Contest.
- 2004\295 Arlis Meyer, Mason City – For celebrating her 93<sup>rd</sup> birthday.
- 2004\296 Paulette Garcia, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2004\297 Charles Heller, Sumner – For celebrating his 85<sup>th</sup> birthday.
- 2004\298 Adaline Snively, West Union – For celebrating her 90<sup>th</sup> birthday.
- 2004\299 James and Kathryn Frazer, Oelwein – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\300 Warren and Delores Loban, Oelwein – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2004\301 Maria Abens, Manson – For celebrating her 100<sup>th</sup> birthday.
- 2004\302 Louie Krausman, Collins – For celebrating his 80<sup>th</sup> birthday.
- 2004\303 Richard “Short” Wilson, Colo – For celebrating his 80<sup>th</sup> birthday.
- 2004\304 Pierce Jones, Nevada – For celebrating his 90<sup>th</sup> birthday.

- 2004\305 John and Pauline Andrew, Colo – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2004\306 Burdette and Barb Olson, Randall – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\307 Mary and Heiko Beenken, Emmetsburg – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2004\308 Julius Delagardelle, Gilbertville – For celebrating his 80<sup>th</sup> birthday.
- 2004\309 David and Margaret Danner, Russell – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\310 Mary and Richard Mitchell, Chariton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\311 Beulah Grismore, Chariton – For celebrating her 90<sup>th</sup> birthday.
- 2004\312 David and Betty McClure, Lakefield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\313 Eleanor Daniel, Spirit Lake – For celebrating her 80<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House Joint Resolution 2002](#)

Judiciary: Schickel, Chair; Greimann and Heaton.

##### [House File 2130](#)

Natural Resources: Lukan, Chair; Baudler and Whitaker.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### [House Study Bill 579](#) Reassigned

State Government: Jacobs, Chair; Dennis, Gaskill, Greiner, Mascher, Petersen and Rasmussen.

##### [House Study Bill 580](#) Reassigned

State Government: Jacobs, Chair; Dennis, Gaskill, Greiner, Mascher, Petersen and Rasmussen.

##### [House Study Bill 597](#)

Local Government: Hahn, Chair; Arnold and Lensing.



**House Study Bill 598**

Local Government: Schickel, Chair; Huser and Jones.

**House Study Bill 599**

Public Safety: Chambers, Chair; Heddens and Sands.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**

**H.S.B. 600 Environmental Protection**

Relating to the powers of soil and water conservation districts and county conservation boards.

**H.S.B. 601 Judiciary**

Relating to the statute of limitations in an action for damages for injury suffered as a result of childhood sexual abuse.

**H.S.B. 602 Judiciary**

Relating to the Iowa probate code, including provisions relating to estate recovery of medical assistance benefits, the power to disclaim property interests, and trusts.

**H.S.B. 603 Agriculture**

Relating to assessments imposed on cattle for purposes of promotion, education, and research, and providing an effective date.

**H.S.B. 604 Agriculture**

Relating to agricultural contracts and providing penalties.

**H.S.B. 605 Human Resources**

Relating to child abuse assessment requirements involving notification of parents, interviews of persons alleged to have committed child abuse, and training of child protection workers.

## COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly [House Study Bill 503](#)), relating to determining compliance with course of study requirements regarding cosmetology licensure.

Fiscal Note is not required.

Recommended **Do pass** February 03, 2004.

**Committee Bill** (Formerly [House Study Bill 517](#)), providing for the elimination of an examination requirement as a prerequisite for being designated a registered dental assistant.

Fiscal Note is not required.

Recommended **Do pass** February 03, 2004.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly [House File 587](#)), relating to product liability actions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 03, 2004.

**Committee Bill** (Formerly [House File 2014](#)), establishing a child endangerment offense for permitting the presence of a child or minor at a location where a controlled substance manufacturing or possession violation occurs and providing a penalty.

Fiscal Note is required.

Recommended **Amend and Do Pass** January 29, 2004.

**Committee Bill** (Formerly [House Study Bill 510](#)), relating to abandonment of a child as grounds for termination of parental rights.

Fiscal Note not required.

Recommended **Do Pass** February 03, 2004.

## COMMITTEE ON LOCAL GOVERNMENT

[House File 2058](#), a bill for an act relating to filling the office of county attorney by appointment.

Fiscal Note not required.

Recommended **Do Pass** February 03, 2004

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly [House File 605](#)), to establish an interior design examining board, to provide for the registration of interior designers in order to use the title of registered interior designer, and to provide fees and penalties.

Fiscal Note not required.

Recommended **Amend and Do Pass** February 03, 2004

**Committee Bill** (Formerly [House Study Bill 524](#)), to eliminate the inspections division of the department of inspections and appeals.

Fiscal Note not required.

Recommended **Do Pass** February 03, 2004

## RESOLUTION FILED

[HR 109](#), by Foege, D. Taylor, T. Taylor, Dandekar, Hogg, Lensing, Mascher, Jacoby, Paulsen, and Elgin, a resolution honoring Dr. Norm Nielsen, President of Kirkwood Community College.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 8:53 a.m., until 8:45 a.m., Wednesday, February 4, 2004.